

Board of Selectmen  
Tuesday, August 5, 2014

A meeting of the Rockport Board of Selectmen was held on Tuesday, August 5, 2014 at 6:30 pm in Conference Room A in Town Hall. Three Selectpersons were in attendance; Selectpersons Battistelli and Murphy were not in attendance, the Town Administrator and the Asst. Town Administrator were present.

6:30 Meeting Called to Order

Executive Session – Anticipated Litigation: Selectperson Lucas moved that the Board of Selectmen enter Executive Session under MGL Chapter 30A, §21(a) Exception 3: to discuss strategy with respect to litigation, Selectperson Sheedy seconded, Roll Call Vote: Selectperson Lucas – aye, Selectperson Sheedy – aye, Chairperson Wilkinson – aye.

Executive Session  
Anticipated  
Litigation  
Motion Approved

Chairperson Wilkinson: “We are entering executive session because, by not doing so, it would be detrimental to the Town’s litigating position and we will be reconvening in Open Session.”

7:00 Pledge of Allegiance and Moment of Silence

Approval of Minutes of July 22, 2014: Selectperson Lucas moved that the Board of Selectmen approve the minutes of July 22, 2014, Selectperson Sheedy seconded, Vote: 3-0.

Approval of  
7/22/14 Minutes  
Motion Approved

Selectperson Sheedy moved to add an item to tonight’s agenda on a revision to the Street Performer License policy, seconded by Selectperson Lucas, Vote: 3-0.

Motion to add  
Revision to Street  
Performer’s Policy  
to agenda  
Motion Approved

Interview of Shirley Conway for the Council on Aging: Selectperson Sheedy nominated Shirley Conway as a member of the Council on Aging for a three year term to expire on June 30, 2017, Selectperson Lucas seconded, no vote taken; this will be action item on next meeting. S. Conway said she was on the council previously for about 8 years.

Interview for  
Shirley Conway  
Council on Aging  
Motion Approved

Selectmen Updates and Liaison Reports: Selectperson Lucas said she attended the recent Millbrook Meadow Committee; she said the meeting was well attended. She said anyone who would like to receive their newsletter should e-mail millbrookcommittee.org. She stated that a firm has been hired to outline some options for the meadow. Selectperson Lucas said she attended the fluoride event Sunday night; she thought both sides would be presented, but only those opposed to fluoride were represented. She said both of the events were filmed by cable. Selectperson Battistelli said she and the Town Administrator presented the Boston Post Cane to Eleanor Peters, the oldest resident in Rockport, on Saturday. The Town Administrator wrote a Press Release about the presentation. The public comment period for the DEP Chapter 91 amendment application closed on Friday. The Board of Selectmen, the Harbormaster and the Rights of Way Committee submitted letters. A report is currently due on the Historic District; Selectperson Lucas said she is requesting an extension to get the report in. This Saturday is the LobsterFest, there will be fireworks, and the firehouse trust activities for kids.

Selectmen  
Updates and  
Liaison Reports

Public Comment Period: T. Arsenian, 95 Granite St., said he deplores and objects to the decision to support the application to the Army Corp. of Engineers for the study on the possible extension of Granite Pier. He said just because the funds come from the Federal Government, doesn't mean it isn't all of our money. He said this is so 300 people can pursue their interest. He stated that the 2003 Annual report harbor plan was unanimously accepted in September of 2003; the Board of Selectmen should have corrected Steve Ouellette's comment at a prior meeting to the contrary.

Town Administrator's Report:

- It was stated that the music festival is being held this Sunday.
- There was been a request from Oscar Meyer to film a commercial in town and bring the Weiner Mobile to Rockport. Selectperson Lucas questioned if the town receives funds for this. The Town Administrator said the town can't receive funds because there is no existing policy. This request is for a 20 person crew and one day of filming. Assigning fees and putting together a policy will be on a subsequent agenda.
- The Asst. Town Administrator said ID badges are being produced for employees working in the field (DPW, animal control, etc.) so these individuals will be easily identified when representing Rockport.
- M. Vieira said the Interdepartmental Admin Asst. vacancy should be filled by end of the month.
- The Asst. Town Administrator said the Long Beach railing is near completion.
- The Asst. Town Administrator said that the properties on Marmion Way and Atlantic Avenue have been visited by an appraiser.

7:25 Action List

Street Performer License Revision: Selectperson Sheedy moved to eliminate the Bearskin Neck and Middle Road location from the Street Performer license, seconded by Selectperson Lucas, Vote: 3-0. She said one of the individuals who requested this revision, Chris Murch of 16 Bearskin Neck, is a client in her law practice, however she said that is not a conflict regarding this issue. James Russell, 17 Bearskin Neck, also said street performers are setting up their equipment very close to the businesses; the sound and the crowd disrupts window browsing and it's very congested there. They are both in favor eliminating this location.

Bond Issuance & BAN Renewal: Selectperson Lucas moved that the sale of the \$2,661,000 General Obligation Municipal Purpose Loan of 2014 Bonds of the Town dated August 14, 2014 to Fidelity Capital Markets, a division of National Financial Services LLC at the price of \$2,872,292.44 is hereby approved and confirmed and that the Bonds shall be payable on August 1 of the years and in the principal amounts and bear interest at the respective rates as follows:

Year	Amount	Interest Rate
2015	\$421,000	5.00%
2016	\$380,000	5.00%
2017	\$325,000	5.00%
2018	\$310,000	5.00%
2019	\$190,000	5.00%
2020	\$170,000	5.00%
2021	\$165,000	3.00%

2022	\$125,000	2.00%
2023	\$120,000	2.25%
2024	\$ 90,000	2.25%
2025	\$ 90,000	2.375%
2026	\$ 85,000	2.50%
2027	\$ 70,000	3.00%
2028	\$ 65,000	3.00%
2029	\$ 55,000	3.00%

Action List:  
Continued

Bond Issuance  
and BAN  
Renewal  
Motion Approved

and, further, to approve the sale of an \$835,000 1.00 percent General Obligation Bond Anticipation Note of the Town dated August 15, 2014, and payable August 7, 2015 to Eastern Bank at a price of par plus a premium of \$5,559.99 and, further, that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated July 22, 2014, and a final Official Statement dated July 29, 2014, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted and, further, that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated July 22, 2014, and a final Official Statement dated July 29, 2014, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted and, further, that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement and, further, that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a Continuing and Significant Events disclosure undertakings in compliance with SEC Rule 15c2-12 in such forms as may be approved by bond counsel to the Town, which undertakings shall be incorporated by reference in the Bonds and Notes, as applicable, for the benefit of the holders of the Bonds and Notes from time to time and, further, that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures in such form as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures in order to monitor and maintain the tax exempt status of the Bonds and Notes and, further, that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of this vote, seconded by Selectperson Sheedy, Vote: 3-0.

Appointment of James Theophanis to the Historical District/Historical Commission: Selectperson Sheedy moved that the Board appoint James Theophanis as a member of the Historic District/Historical Commissions for a three year term to expire on June 30, 2017, seconded by Selectperson Lucas, Vote: 3-0.

Appointment to  
Historical District/  
Commission  
Motion Approved

Approval to Hire a Library Director: Selectperson Lucas moved that the Board of Selectmen approve the hiring of a Library Director to fill the vacancy for that position, Selectperson Sheedy seconded, Vote: 3-0.

Approval to hire a  
Library Director  
Motion Approved

2 Old County Road Notice of Lease: Selectperson Sheedy moved that the Board of Selectmen sign the Notice of Lease for 2 Old County Road from Niklas Peter Jordow and Rechele Rapp Jordow, Selectperson Lucas seconded, Vote: 3-0.

2 Old County Rd  
Lease, Motion  
Approved

Street Performer License for Zach Gorrell: Selectperson Lucas moved that the Board of Selectmen approve a Street Performer License for Zach Gorrell for the 2014 summer

Street Performer  
License for Zach  
Gorrell  
Motion Approved

season contingent on the completion and successful result of a CORI check, seconded by Selectperson Sheedy, Vote: 3-0. He said he plays the saxophone and piano.

7:40 Selectmen Briefing

Selectmen  
Briefing

Parking Meters

Parking Meters: Officer Robert Tibert said more modules have been sent; he said there was no credit card capability from Friday to Sunday. He said as of today they were all working; this took a long time. There have been three software updates. Chairperson Wilkinson said the goal was to get them working then place directions on the meters. She said even if they're working, they're still difficult to use. The new meters were installed on 3/17/14. Chairperson Wilkinson said she would like to remove the meters. Officer Tibert said revenue from the meters may be up by about \$3,900 from last year. Chairperson Wilkinson said we'll have to go back to the old rates if we remove these meters. The recommendation is to look at other vendors and test new meters in small areas. The town Administrator said this isn't just a matter of getting another vendor, we will have to go out to bid again per Chapter 30(b). Chairperson Wilkinson wanted to thank Kathleen Cahill for her e-mail about the new meters. She said there's too much to read on these meters, people aren't going to take the time to read all the instructions. Officer Tibert said the town will have to purchase a device to change the rates on the old meters if the decision is to put the old meters back in place.

Motion to add  
parking meter  
topic to Action  
List

Motion Approved

Selectperson Sheedy moved to put the parking meter topic on tonight's action list, seconded by Selectperson Lucas, Vote: 3-0.

Motion to return  
recently  
purchased meters  
Motion Approved

Selectperson Sheedy moved to return the recently purchased newer parking meters from POM to the vendor, seconded by Selectperson Lucas, Vote: 3-0.

Other Business: none

8:30 Selectperson Sheedy moved to adjourn, seconded by Selectperson Lucas, Vote: 3-0.

Warrant signed:

Warrant signed for the Fiscal Year 2015 Payroll and Expenses for the week of 8/7/14 in the amounts of \$204,586.37 and \$659,877.73 respectively.

Items Signed:

2 Old County Road Lease, Niklas Peter Jordow and Rechele Rapp Jordow

Street Performer's License, Zach Gorrell

Home Occupation Permit, Sacred Temple Arts, Sacha Lisette Fossa